

House File 2027 - Introduced

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BY PAULSEN

A BILL FOR

- 1 An Act relating to the displacement and relocation of
- 2 a business or farm and including effective date and
- 3 applicability provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 316.4, subsection 1, Code 2016, is
2 amended to read as follows:

3 1. If a program or project undertaken by a displacing agency
4 will result in the displacement of a person, the displacing
5 agency shall make a payment to the displaced person, upon
6 proper application as approved by the displacing agency, for
7 actual reasonable and necessary expenses incurred in moving the
8 person, the person's family, business, farm operation, or other
9 personal property subject to rules and limits established by
10 the department. The payment may also provide for actual direct
11 losses of tangible personal property, purchase of substitute
12 personal property, business reestablishment expenses, storage
13 expenses, and expenses incurred in searching for a replacement
14 business or farm. If relocation of a business or farm
15 operation is not economically feasible, the displaced person
16 may also apply for payment of the loss of existing business
17 relationships because of the inability to relocate the business
18 or farm operation to a location similar in economic advantage
19 to the location from which the business or farm operation was
20 moved.

21 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
22 immediate importance, takes effect upon enactment.

23 Sec. 3. APPLICABILITY. This Act applies to relocations of
24 businesses and farms on or after the effective date of this
25 Act.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 Code chapter 316 establishes a uniform policy for relocation
30 assistance and benefits for persons displaced by programs and
31 projects undertaken by a state agency, including a political
32 subdivision of the state, or a person who has the authority
33 to acquire property by eminent domain under state law. By
34 operation of Code section 6B.42, an acquiring agency under
35 Code chapter 6B is subject to the payment and assistance

1 requirements of Code chapter 316 as if the acquiring agency
2 were a displaced agency under that chapter.

3 This bill provides that if relocation of a business or
4 farm operation is not economically feasible, the displaced
5 person may apply for payment of the loss of existing business
6 relationships because of the inability to relocate the business
7 or farm operation to a location similar in economic advantage
8 to the location from which the business or farm operation was
9 moved.

10 The bill takes effect upon enactment and applies to
11 relocations of businesses and farms on or after the effective
12 date of the bill.